

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

LUZ SELENIA GARCIA MATTOS

Debtor(s)

CASE NO. 14-03908-ESL

CHAPTER 13

OBJECTION TO CONFIRMATION OF PLAN
DATED MAY 14, 2014

TO THE HONORABLE COURT:

COMES NOW, creditor secured DORAL BANK, and very respectfully,
ALLEGES, STATES and PRAYS:

1. The present case was filed on May 14, 2014 and the confirmation hearing is scheduled for July 18, 2014.

2. Doral Bank is a secured creditor in the above captioned case and the holder in due course of a mortgage note encumbering a real property located at Urb. Diplo in the Municipality of Naguabo, Puerto Rico, see proof of claim no. 2-1.

3. The chapter 13 plan dated May 14, 2014 provides, in the pertinent part, for the trustee to pay the mortgage's pre petition arrears and for debtor to maintain direct payments to Doral Bank, see docket no. 2. However, the base of the proposed plan is insufficiently funded to comply with the disbursement schedule; thus, the plan fails to comply with section 1325 (b) of the Bankruptcy Code.

4. Today, Doral Bank filed proof of claim no. 2-1, including arrears in the total amount of \$7,847.88. As proposed, the base of the plan of \$9,000.00 is not sufficient to pay Doral Bank's claim, and attorney's fees, in addition to the trustee's fees.

5. For the reasons stated above, Doral Bank objects to the confirmation of the plan dated May 14, 2014.

OBJECTION TO CONFIRMATION
CASE NUMBER 14-03908 ESL
Page 2 of 2

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of the above-stated and DENY the confirmation of the plan dated May 14, 2014 and grant any other relief it may deem just.

NOTICE

YOU ARE HEREBY NOTIFIED THAT YOU HAVE FOURTEEN (14) DAYS FROM THE DATE OF THIS NOTICE TO FILE AN OPPOSITION TO THE FOREGOING MOTION AND TO REQUEST A HEARING. IF NO OPPOSITION IS FILED WITHIN THE PRESCRIBED PERIOD OF TIME, THE MOTION WILL BE DEEMED UNOPPOSED AND MAY BE GRANTED WITHOUT FURTHER HEARING UNLESS(1) THE REQUESTED RELIEF IS FORBIDDEN BY LAW; (2) THE REQUESTED RELIEF IS AGAINST PUBLIC POLICY; OR (3) IN THE OPINION OF THE COURT, THE INTEREST OF JUSTICE REQUIRES OTHERWISE. IF A TIMELY OPPOSITION IS FILED, THE COURT WILL SCHEDULE A HEARING AS A CONTESTED MATTER.

CERTIFICATE OF SERVICE: I hereby certify that on this same date I electronically filed the above document with the Clerk of the Court using the CM/ECF System which sends a notification of such filing to all those who in this case have registered for receipt of notice by electronic mail. I further certify that the foregoing has been served to the non CM/ECF participants: debtor(s).

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 16th day of July, 2014.

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